

RAYLEE JOSEPHINE GRIECO,

Plaintiff,

v.

NORTH CAROLINA STATE HIGHWAY  
PATROL, NORTH CAROLINA  
DEPARTMENT OF PUBLIC SAFETY,  
ASHLEY R. DAUGHTRY, DEVIN M.  
RICH, JAMES D. DUFF, TIMOTHY T.  
DANIELS, DAVID SMITH, and FREDDY  
L. JOHNSON, JR.,

Defendants.

NOW COME Defendants, North Carolina State Highway Patrol, North Carolina Department of Public Safety (hereinafter, “Institutional Defendants”), Timothy T. Daniels, David S. Smith, Freddy L. Johnson, Jr., (hereinafter “Supervisory Defendants”), Ashley R. Daughtry, Devin M. Rich, and James D. Duff, (hereinafter “Trooper Defendants”), by and through their undersigned counsel, pursuant to Rule 12(b) of the Federal Rules of Civil Procedure, and move this Court for an order of dismissal because various claims of Plaintiff are either barred by Sovereign Immunity or fail to state a claim upon which relief can be granted. In support of this motion, all Defendants rely upon Plaintiff’s complaint [DE-1-3] and the arguments and authorities set forth in the Memorandum in Support of this Motion and filed contemporaneously therewith.

WHEREFORE, the Defendants respectfully request that their Motion to Dismiss be granted.

This the 19th day of May 2025.

**JEFF JACKSON**  
**ATTORNEY GENERAL**

/s/Joseph P. Vellon  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this date I electronically filed the foregoing **DEFENDANTS'**  
**MOTION TO DISMISS PURSUANT TO FED. R. CIV. P. 12(b)(1) and (6)** with the Clerk of  
the court utilizing the CM/ECF system and further certify that I have served upon counsel of record  
by e-mail to the address indicated below.

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*Attorneys for Plaintiff*

This the 19th day of May 2025.

/s/ Joseph P. Vellon  
Joseph P. Vellon  
Special Deputy Attorney General